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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN D. CAVALIER,

Defendant.

2:16-CR-00046-GMN-PAL

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between the United States, by and through the undersigned, and Mace J. Yampolsky, counsel for defendant BRIAN D. CAVALIER, that the defendant's sentencing hearing, currently scheduled for January 17, 2018 at 8:00 a.m., be continued for a period of ninety (90) days or to a date and time convenient to the Court.

1 This stipulation is entered for the following reasons:

2 1. Counsel for the United States will begin trial in this case against four
3 of Cavalier's co-defendants on February 26, 2018, which will likely last for several
4 weeks. Government counsel needs additional time to prepare for the sentencing
5 hearing, including filing a sentencing memorandum.

6 2. The Defendant has several life events that would be hindered with the
7 currently scheduled sentencing date. These events include: his father's death, the
8 continued care of his ailing mother and recently starting new employment.

9 3. The Defendant is not in custody and does not object to a continuance.

10 4. Additionally, denial of this request for continuance could result in a
11 miscarriage of justice.

12 5. This is the first request for a continuance filed herein.

13 **WHEREFORE**, the parties respectfully request that the Court accept the
14 Stipulation and enter an Order as set forth below, continuing the sentencing
15 hearing for a period ninety (90) days.

16 **DATED** this 17th day of January, 2018.

17
18
19 Respectfully submitted,

20 */s/ Steve W. Myhre*

/s/ Mace J. Yampolsky

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STEVEN W. MYHRE
22 Assistant United States Attorney
Counsel for the United States

MACE J. YAMPOLSKY
Counsel for Defendant

**UNITED STATES DISTRICT COURT
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ORDER ON STIPULATION

This matter coming before the Court on Stipulation to Continue Sentencing Hearing, the Court having considered the matter, and good cause showing, the Court accepts the Stipulation.

WHEREFORE, IT IS HEREBY ORDERED that the sentencing hearing, currently scheduled for January 17, 2018, shall be continued to _____.

UNITED STATES CHIEF DISTRICT JUDGE

IT IS SO ORDERED.

Entered: _____